

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

.....  
**IN RE:**

**MIRIAM L. CHAMPY,**

**DEBTOR.**

.....  
**MARK J. CONWAY, CHAPTER 7  
TRUSTEE FOR THE ESTATE OF  
MIRIAM L. CHAMPY,**

**MOVANT,**

**VS.**

**NATIONSTAR MORTGAGE LLC D/B/A  
MR. COOPER,  
DEUTSCHE BANK TRUST COMPANY  
AMERICAS, AS TRUSTEE FOR  
RESIDENTIAL ACCREDIT LOANS, INC.,  
MORTGAGE ASSET-BACKED-PASS-  
THROUGH CERTIFICATES, SERIES  
2007-QH3,  
PNC BANK S/B/M/T NATIONAL CITY  
BANK,**

**ATTN: CORPORATE OFFICER OR  
PERSON IN CHARGE**

**RESPONDENTS.**  
.....

**CASE NO. 5-19-04802-RNO**

**CHAPTER 7**

**STIPULATION**

This Stipulation entered into this 2<sup>nd</sup> day of February, 2021, with the consent of Mark J. Conway, Esquire, Chapter 7 Trustee for the Estate of Miriam L. Champy ("Trustee"), by and through his undersigned counsel, and PNC Bank s/b/m/t to National City Bank ("PNC Bank"), by and through its undersigned, authorized counsel, Tucker Arensberg, P.C., and under the terms and conditions contained in this Stipulation, which are as follows:

**WHEREAS**, the Debtor filed a voluntary petition for relief under Chapter 7 of the United States Bankruptcy Code, 11 U.S.C. Section 101, et. Seq. (the “Bankruptcy Code”), on November 8, 2019;

**WHEREAS**, Mark J. Conway is the duly appointed, qualified and acting Chapter 7 Trustee in this bankruptcy proceeding, having been appointed on November 12, 2019 (Dkt. No. 6);

**WHEREAS**, a 341 meeting was held on December 6, 2019, at which time the Debtor appeared for questioning and testified in regard to her one-half undivided interest in a real property located at 100 Beach Place, Shohola, Pennsylvania 18458 (“Property”);

**WHEREAS**, the Trustee filed a Motion Seeking Authority to Sell Real Property of the Estate Free and Clear of Liens and Encumbrances on December 31, 2020, (Dkt. No. 28);

**WHEREAS**, a Response to the aforementioned Motion to Sell was filed on behalf of Respondent, PNC Bank on January 18, 2021 (Dkt. No. 31), relative to the payment of the balance on its second mortgage held against the Property;

**WHEREAS**, the parties hereby agree to resolve the matter and enter into the within Stipulation acknowledging that the sum of Two Thousand Three Hundred Thirty-One Dollars and Ninety-One Cents (\$2,331.91) is to be paid from the sale proceeds of the Property in full, final and complete satisfaction of PNC Bank’s second mortgage;

**WHEREAS**, in consideration of the foregoing, the parties hereby agree to and request issuance of an Order authorizing the sale of the Property free and clear of all liens and encumbrances; and

**WHEREAS,** the Trustee believes that the Stipulation and Settlement of the matter is in the best interest of the Estate and its creditors because it resolves the remaining issues between the Estate and the Respondent and will result in the expeditious administration of the Property.

**NOW THEREFORE,** in consideration of the mutual promises set forth herein and with the intention that the parties hereto are to be legally bound by the terms set forth herein

**IT IS HEREBY STIPULATED AS FOLLOWS:**

1. The recitals set forth above are incorporated herein as if set forth at length.
2. The parties hereby agree to resolve the matter and enter into the within Stipulation acknowledging that the sum of Two Thousand Three Hundred Thirty-One Dollars and Ninety-One Cents (\$2,331.91) is to be paid from the sale proceeds of the Property in full, final and complete satisfaction of PNC Bank's second mortgage.
3. The parties hereby agree to and request issuance of an Order authorizing the sale of the Property free and clear of all liens and encumbrances.
4. Upon payment of the funds as delineated herein, the parties hereto shall hereby mutually release each other from any and all claims relating to this matter; and

5. This Stipulation is subject to Bankruptcy Court approval.

/s/ Mark J. Conway

Mark J. Conway, Esquire  
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Dunmore, PA 18512  
(570) 343-5350

Counsel for Chapter 7 Trustee

/s/ Maribeth Thomas

Maribeth Thomas, Esquire  
Tucker Arensberg, P.C.  
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Counsel for PNC Bank, N.A., successor by  
merger to National City Bank